

6678. Misbranding of P P P Prickly Ash, Poke Root, Potassium and Stillingia. U. S. * * * v. 6 Cases * * * of P P P Prickly Ash, Poke Root, Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8945. I. S. No. 4233-p. S. No. E-1014.)

On or about April 12, 1918, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, each containing one dozen bottles of P P P Prickly Ash, Poke Root, Potassium and Stillingia, consigned by F. V. Lippman, Savannah, Ga., remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on or about March 22, 1918, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled: (On package) "P P P—A valuable remedy for syphilis and scrofulas and is recommended for rheumatism, gout, old sores, glandular enlargements, and all conditions arising from blood poison—." (In circular) "Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor and General Derangement of the System—." "For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache—." "For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head—." "After Diphtheria, Scarlet Fever, Typhoid Fever, and Pneumonia—." "Nervousness, Nervous Headaches, and Nervous Dyspepsia—." "Eczema, Herpes, Psoriasis, Ringworm, Camp Itch—." "Distress after eating, pains in the back, headache—." "Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy, and Dropsical Swellings—." "Syphilis and Scrofula—." "For Tumors, Ulcers and Sores—." "For Skin Diseases, Eruptions, Postules,—Boils—all diseases of the blood, bone and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat and nasal cavities, and in all cases of animal or vegetable blood poisoning—." "Necrosis of the Bone,—Ulcerated or swollen glands, abscesses—carbuncles—hip disease, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver disease."

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, borne on the cartons and circulars, regarding the curative and therapeutic effect of the article, were false and misleading; and for the further reason that said statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect claimed for it.

On May 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*